



PATENT APPLICATION

*IFW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

**MAIL STOP PETITION**

David L. SALGADO et al.

Group Art Unit: 2625

Application No.: 09/470,234

Examiner: K. POON

Filed: December 22, 1999

Docket No.: 124532

For: METHOD AND APPARATUS FOR A CONNECTION SENSING APPARATUS

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned has received a Notice of Abandonment dated October 5, 2006 (copy attached), holding the above-captioned patent application abandoned for failure to respond to an Office Action dated April 2, 2004. However, a Request for Continued Examination (RCE) and a Preliminary Amendment were filed on June 2, 2004 in response to the April 2, 2004 Office Action. Thus, the October 5, 2006 Notice of Abandonment was issued in error.

Enclosed please find a copy of the documents (RCE and Preliminary Amendment) filed June 2, 2004. Also enclosed is a copy of PTO's "Auto-Reply Facsimile Transmission," which indicates that PTO received the documents on June 2, 2004. Thus, Applicant respectfully requests that the holding of abandonment be withdrawn, and the June 2, 2004 RCE and Preliminary Amendment be entered.

The present Petition does not require a fee, because the RCE was not entered due to U.S. Patent and Trademark Office error. However, if there is any fee required, the U.S. Patent and Trademark Office is authorized to debit Deposit Account No. 24-0037.

Respectfully submitted,

Thomas J. Pardini  
Registration No. 30,411

Gang Luo  
Registration No. 50,559

TJP:GXL/sqb

Attachments:

- Copy of October 5, 2006 Notice of Abandonment
- Copy of June 2, 2004 PTO facsimile transmission confirmation
- Copy of documents filed June 2, 2004

Date: October 13, 2006

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

**DEPOSIT ACCOUNT USE  
AUTHORIZATION**  
Please grant any extension  
necessary for entry;  
Charge any fee due to our  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 13 2006

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/470,234	12/22/1999	DAVID L. SALGADO	D/99173	5920

7590 10/05/2006

JOHN E BECK  
XEROX CORPPRATION  
XEROX SQUARE-20A  
ROCHESTER, NY 14644

RECEIVED

OCT 09 2006

PATENT DEPARTMENT

EXAMINER

POON, KING Y

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

NABD/Pet to Revive  
due 11/05/06

DOCKETED-CAP

SEND TO OLF

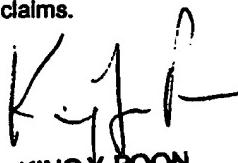


<b>Notice of Abandonment</b>	Application No. 09/470,234	Applicant(s) SALGADO ET AL.
	Examiner King Y. Poon	Art Unit 2625

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

This application is abandoned in view of:

1.  Applicant's failure to timely file a proper reply to the Office letter mailed on 02 April 2004.
  - (a)  A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b)  A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c)  A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d)  No reply has been received.
2.  Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a)  The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b)  The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due. The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c)  The issue fee and publication fee, if applicable, has not been received.
3.  Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a)  Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b)  No corrected drawings have been received.
4.  The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5.  The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6.  The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7.  The reason(s) below:

  
 KING Y. POON  
 PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



Patent Application  
Attorney Docket No. D/99173

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Salgado, et al.

Application No.: 09/470,234

Filed: 12/22/99

Examiner: King Poon

Art Unit: 2624

CERTIFICATE OF FACSIMILE

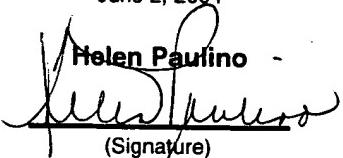
I hereby certify that this correspondence is being transmitted by facsimile to (703) 872-9306 to the U.S. Patent and Trademark Office, Commissioner for Patents, on:

Title: **METHOD AND APPARATUS  
FOR A CONNECTION SENSING APPARATUS**

Commissioner for Patents

June 2, 2004

Helen Paulino

  
(Signature)

Sir:

June 2, 2004

Box AF

PRELIMINARY AMENDMENT

Prior to the examination of the above-identified application, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings of claims in the application.

**LISTING OF CLAIMS:**

1) (Currently amended) An apparatus for connecting a transmission line that terminates with a connector to a device, comprising:

- (a) a receptacle for receiving the connector; and
- (b) a sensor ~~proximate to~~ associated with the receptacle for detecting the presence of the connector within the receptacle.

2) (Previously presented) An apparatus for connecting a transmission line that terminates with a connector to a device, comprising:

- (a) a receptacle for receiving the connector; and
- (b) a sensor associated with the receptacle for detecting the presence of the connector within the receptacle,

wherein the sensor comprises a pressure switch within the receptacle.

3) (Previously presented) An apparatus for connecting a transmission line that terminates with a connector to a device, comprising:

- (a) a receptacle for receiving the connector; and
- (b) a sensor associated with the receptacle for detecting the presence of the connector within the receptacle,

wherein the sensor comprises an optical sensor within the receptacle.

4) (Previously presented) The apparatus of **claim 1**, further comprising a signal detector for detecting signals communicated through the transmission line.

5) (Previously presented) The apparatus of **claim 4**, wherein the signal detector is for detecting a telephone dial tone.

6) (Previously presented) The apparatus of **claim 4**, wherein, in response to a signal from the sensor indicating that the connector is present within the receptacle, a determination is made, with the signal detector, whether signals are being communicated through the transmission line.

7) (Previously presented) The transmission line connection apparatus of **claim 4**, wherein, in response to a failure by the signal detector to detect signals through the transmission line, a determination is made, with the sensor, whether the connector is present within the receptacle.

8) (Previously presented) The apparatus of **claim 1**, wherein the sensor is utilized to determine whether the connector is present within the receptacle when the device is activated.

9) (Previously presented) The transmission line connection of **claim 4**, wherein the signal detector is utilized to detect signals through the transmission line at times other than on device activation.

10) (Currently amended) A printing machine capable of communicating through a transmission line that terminates with a connector, comprising:

(a) a receptacle for proximate to-associated with the receptacle for detecting the presence of the connector within the receptacle; and

(c) a sensor circuit, communicating with the detecting sensor, for transmitting a signal indicating whether the detecting sensor detects the presence of the connector.

11) (Currently amended) A method of communicating through a transmission line that terminates with a connector, adapted to be received in a receptacle, comprising:

(a) determining, with a sensor proximate to-associated with the receptacle, whether the connector is present within the receptacle; and

(b) determining whether a signal is being communicated through the transmission line.

12) (Previously presented) The method of **claim 11**, wherein the step of determining whether the connector is present within the receptacle occurs before the step of determining whether a signal is being communicated through the transmission line.

13) (Previously presented) The method of **claim 12**, further comprising the step of initiating activation of a device prior to the step of determining whether the connection is present within the receptacle.

14) (Previously presented) The method of **claim 12**, further comprising, in response to determining that the connector is not present within the receptacle, requiring the operator to intervene in order for further operations to occur.

15) (Previously presented) The method of **claim 12**, further comprising, in response to determining that a signal is not being communicated through the transmission line, placing a device in a condition that is ready to perform further operations.

16) (Previously presented) The method of **claim 11**, wherein the step of determining whether a signal is being communicated through the transmission line occurs before determining whether the connector is present within the receptacle.

17) (Previously presented) The method of **claim 16**, wherein, in response to determining that a signal is not being communicated through the transmission line, determining whether the connector is present within the receptacle.

18) (Previously presented) The method of **claim 16** further comprising the step of initiating the step of determining whether a signal is being communicated through the transmission line at times other than activation of a device.

19) (Previously presented) The method **claim 16**, further comprising, in response to determining that the connector is present within the receptacle, delaying processing of the operation currently being performed by the device when the current operation requires use of the transmission line.

20) (Previously presented) The method of **claim 16**, further comprising, in response to determining that the plug connector is not present within the receptacle, aborting processing of the operation currently being performed by the device when such operation requires use of the transmission line.

**TELEPHONE CONFERENCE:**

During a telephone conference with the Examiner, Applicant's attorney requested that claims dependent from claim 1 be amended to depend from allowed claim 2. Examiner agreed that such an amendment would be accepted After Final. However, as indicated above, Applicant has decided to prosecute all claims in an RCE application.

**REMARKS**

The drawing correction and the amendment filed on 2/5/2004 and 3/15/2004 have been accepted.

Claims 1-20 are pending.

Claims 2 and 3 have been allowed in the preceding prosecution.

Claims 1 and 4-20 have been rejected.

Claims 1, 10, and 11 have been amended. These are the pending independent claims.

Claims 1, 4-9 and 11-13, 16-20 have been rejected under 35 U.S.C. 102(b) as being anticipated by Recht et al. (U.S. 5,841,851). In response, the three pending independent claims have been amended to remove the concept that a sensor is "proximate to" a receptacle and to substitute therefor the concept that the sensor is "associated with" the receptacle. This is precisely the wording of allowed claims 2 and 3, which were allowed in the preceding prosecution. More particularly, the Office Action identified the condition sensor in Recht as residing in the same base unit as the receptacle. Although the Office Action alleges such placement to be "proximate", it clearly is not associated with the receptacle itself. (Hence, the allowance of claims 2 and 3). Accordingly, the amendments to each of the independent claims render these claims allowable over Recht. Accordingly, each of the claims dependent from the independent claims is also allowable.

Claims 14 and 15 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Recht et al. (U.S. 5,841,851). In response, for the reasons stated above, Claims 14 and 15 are also allowable over Recht.

Claim 10 has been rejected under 35 U.S.C. 103 (a) as being unpatentable over Horne (U.S. 6,298,122) in view of Recht et al. (U.S. 5,841,851). In response, Applicant notes that the Office Action acknowledges that Horne fails to teach a sensor proximate to the receptacle for detecting the presence of one connector within the receptacle. For these elements, the Office Action relied upon Recht et al. For the reasons cited above, however, Recht et al. fails to teach a sensor *associated with* the receptacle. Claim 10 is, accordingly, allowable.

In summary, the application and all claims are believed to be in a condition for allowance in their present form and which allowance is respectfully requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, the Examiner is hereby authorized to call Applicant's Attorney, Richard Spooner, at Telephone Number (585) 423-5324, Rochester, New York.

Respectfully submitted,

Richard F. Spooner  
Richard F. Spooner  
Attorney for Applicant  
Registration No. 43,928

RFS/hp  
June 2, 2004  
Xerox Corporation  
Xerox Square 20A  
Rochester, New York 14644



# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application No.: 09/470,234  
Filing Date: 12/22/99  
First Named Inventor: David L. Salgado  
Group Art Unit: 2624  
Examiner Name: King Poon  
Attorney Docket No.: D/99173

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA [and 102(e)/103 removal for commonly owned applications]. See Changes to Application Examination and Provisional Application Practice Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000); 65 Fed. Reg. 50092 (Aug. 16, 2000), which established RCE practice. [Note that § 1.114 also requires prosecution to be closed to use an RCE.]

## 1. Submission required under 37 C.F.R. § 1.114

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered).
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on
  - v.  Other
- b.  Enclosed
  - i.  Amendment or Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other Preliminary Amendment

## 2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) (required))
- b.  Other

## 3. Fees [The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.]

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Xerox Corporation Deposit Account No. 24-0025.
  - i.  RCE fee required under 37 C.F.R. § 1.17(e) - \$770.00
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17). Please grant any required extension of time.
  - iii.  Other
- b.  A return receipt postcard is enclosed.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Richard F. Spooner	Registration No. (Attorney/Agent) 43928
Signature		Date 6/2/2004

## CERTIFICATE OF MAILING OR TRANSMISSION

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Signature		

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Cover  
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2004-Jun-02 14:48	From-XEROX	+5854235240	T-001	P.001	F-004
<p><b>XEROX CORPORATION</b> Xerox Square Rochester, New York 14644</p> <p><b>Fax Cover Sheet</b></p> <p><b>DATE:</b> June 2, 2004      <b>PHONE:</b> (703) 305-0692 <b>TO:</b> Examiner King Poon      <b>FAX:</b> (703) 672-9208 <b>FROM:</b> Richard F. Spooner      <b>PHONE:</b> (585) 423-5324                                   <b>FAX:</b> (585) 423-5240</p>					
<p>Inventor(s): Salgado, et al. Application No.: 09/470,234 Confirmation No.: 6708 Filed: December 22, 1999 Examiner: King Poon Art Unit: 2024 Title: METHOD AND APPARATUS FOR A CONNECTION SENSING APPARATUS Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Sir: BOX AF</p>			<p><b>CERTIFICATE OF TRANSMISSION</b> I hereby certify that this correspondence is being Facsimile transmitted to the U.S. Patent and Trademark Office at 703-672-9208 on: June 2, 2004 (Date of deposit) Helen Paulino (Name of applicant/designee, or registered representative) <i>Helen Paulino</i> (Signature) June 2, 2004 Date of Signature</p>		
<p>REF: 09/470,234 - Our File No.: D/39173 Preliminary Amendment Number of pages including cover sheet: 10 Dear Sir: Please enter the following 8-page RCE Preliminary Amendment and an RCE Transmittal. Please direct questions to the telephone number listed above. Respectfully submitted,</p>					
<p><i>Richard F. Spooner</i> Richard F. Spooner Attorney for Applicant Registration No. 43,926</p>					

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**Rochester, New York 14644**

### Fax Cover Sheet

DATE:	June 2, 2004	PHONE:	(703) 305-0892
TO:	Examiner King Poon	FAX:	<u>(703) 872-9306</u>
FROM:	Richard F. Spooner	PHONE:	(686) 423-6324
		FAX:	(686) 423-5240

Inventor(s): Salgado, et al.  
Application No.: 08/470,234  
Confirmation No.: 5705  
Filed: December 22, 1999  
Examiner: King Poon  
Art Unit: 2824  
Title: METHOD AND APPARATUS  
FOR A CONNECTION SENSING APPARATUS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:  
BOX AF

REF: 08/470,234 – Our File No.: D/89173 Preliminary Amendment

Number of pages including cover sheet: 10

Dear Sir:

Please enter the following 8-page RCE Preliminary Amendment and an  
RCE Transmittal.  
Please direct questions to the telephone number listed above.

Respectfully submitted,

Richard F. Spooner  
Richard F. Spooner  
Attorney for Applicant  
Registration No. 43,928

**CERTIFICATE OF  
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(Date of deposit)  
Helen Paulino  
(Name of applicant, assignee,  
or Registered Representative)  
Helen Paulino  
(Signature)  
June 2, 2004  
Date of Signature